

1 UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF OHIO  
3 EASTERN DIVISION

4 \*\*\*\*\*

5 IN RE: NATIONAL MDL No. 2804  
6 PRESCRIPTION OPIATE  
7 LITIGATION Case No.  
8 1:17-MD-2804

9 \*\*\*\*\*

10 THIS DOCUMENT RELATES TO Hon. Dan A. Polster  
11 ALL CASES

12 \*\*\*\*\*

13 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER  
14 CONFIDENTIALITY REVIEW  
15 VIDEOTAPED DEPOSITION OF DEAN A. VANELLI

16 Wednesday, January 16th, 2019  
17 8:03 a.m.

18 Held At:  
19 Omni Hotel  
20 One West Exchange Street  
21 Providence, Rhode Island

22  
23 REPORTED BY:  
24 Maureen O'Connor Pollard, RMR, CLR, CSR

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1 P R O C E E D I N G S

2

3 THE VIDEOGRAPHER: We are now on the  
4 record. My name is Robert Sweig, and I'm a  
5 videographer for Golkow Litigation Services.

6 Today's date is January 16, 2019, and  
7 the time is 8:03 a.m.

8 This video deposition is being held in  
9 Providence, Rhode Island in the matter of In Re  
10 National Prescription Opiate Litigation pending  
11 before the United States District Court for the  
12 Northern District of Ohio, Eastern Division.

13 Our deponent is Dean Vanelli.

14 Counsel appearances will be as noted  
15 on the stenographic record.

16 Our court reporter is Maureen Pollard,  
17 who will now swear in the witness.

18

19 DEAN A. VANELLI,  
20 having been duly sworn, was examined and  
21 testified as follows:

22 EXAMINATION

23 BY MR. DEROCHE:

24 Q. Good morning. Will you please state

1 your name for the record?

2 A. Dean Anthony Vanelli.

3 Q. Mr. Vanelli, my name is Jim DeRoche,  
4 and I have some questions for you today. I'm  
5 hopefully going to ask some direct questions. I  
6 expect you to give me direct answers. Do you  
7 agree to do that?

8 A. Yes.

9 Q. Do you understand the oath you just  
10 took?

11 A. Yes.

12 Q. You understand you're testifying as if  
13 you were at trial, as if the jury is in the room  
14 with us today, so we need you to be forthright,  
15 give them the information they need to make a  
16 decision in this case. Do you agree to do that?

17 A. Yes.

18 Q. You have to give oral answers to all  
19 questions so the court reporter can take down  
20 your testimony. Nods of the head won't work  
21 even though we're on video, so I need you to  
22 hopefully speak up so she can hear you, take  
23 down your oral testimony. Okay?

24 A. Yes.

1 Q. Did you prepare for your deposition  
2 here today?

3 A. Yes.

4 Q. What did you do?

5 A. Spent some time with counsel.

6 Q. Okay. When was that?

7 A. Probably sometime back in October, and  
8 early this week.

9 Q. Okay. So did you spend yesterday with  
10 counsel?

11 A. I spent time with the counsel  
12 yesterday, yes.

13 Q. That was here in Providence?

14 A. It was in Cumberland, Rhode Island.

15 Q. Okay. Is that where your office is?

16 A. Yes.

17 Q. Did you look at documents?

18 A. Yes.

19 Q. Okay. Can you tell me generally what  
20 those documents were?

21 MR. BUSH: Objection.

22 That's privileged.

23 BY MR. DEROCHÉ:

24 Q. Okay. Let's start with where you work

1 now. Who is your employer?

2 A. CVS Health.

3 Q. Okay. And how long has CVS Health  
4 been your employer?

5 A. Don't know that I understand their  
6 corporate structure. I've worked for the  
7 company referred to today as CVS Health for  
8 23 years.

9 Q. 23 years, okay. So let's just --  
10 we'll dispense with the problems with the names  
11 and --

12 A. Yes.

13 Q. -- changing over time and everything  
14 else. Let's just call them CVS.

15 A. CVS.

16 Q. That makes them -- makes things easy  
17 for all of us.

18 So you've worked for CVS for 23 years.  
19 I'd like to go through where you started, what  
20 your job -- what your responsibilities were up  
21 through when you started through today. Can you  
22 do that for me?

23 A. Certainly.

24 Q. Okay. So let's start with your first

1 position.

2 A. I'll correct myself as well. It will  
3 be 23 years in March of this year.

4 Q. Okay. Sure.

5 A. I was first hired as an internal  
6 auditor into the internal audit department, in  
7 that role for two years approximately.

8 Q. Where was your office?

9 A. It was in Woonsocket, Rhode Island on  
10 CVS Drive.

11 Q. Okay. And what was your general job  
12 duty as an internal --

13 A. Operational and financial auditing.

14 Q. Okay. What department were you  
15 assigned to?

16 A. The internal audit department.

17 Q. Okay. And that was a department that  
18 was part of the financial reporting department?

19 A. It actually, in my time there,  
20 reported into loss prevention at one point, and  
21 then reported into the finance organization,  
22 yes.

23 Q. Okay. And how long did you hold that  
24 position?

1           A.     Probably short of two and a half  
2     years.

3           Q.     Okay. I'm sorry, I didn't -- did you  
4     say when you started work? What year was that?

5           A.     I believe it was March of '96.

6           Q.     Okay. Then what did you do?

7           A.     From that position I moved into a  
8     position within the logistics department, within  
9     the logistics planning organization as a  
10    manager.

11          Q.     So your first position was as a  
12    manager in logistics?

13          A.     Logistics planning, yes.

14          Q.     Logistics planning. Is that different  
15    than logistics department?

16          A.     Well, it was within -- a group within  
17    the logistics organization.

18          Q.     Okay. Tell me what you did in that  
19    position.

20          A.     A host of different activities. I  
21    interacted mainly with finance. I was hired to  
22    do the annual budget, monthly financial closes,  
23    financial explanations. I also did work with  
24    capital, capital planning, capital budget,

1 coordinating, you know, purchase of equipment,  
2 computers, such.

3 Q. Okay. What does the logistics  
4 department in general do?

5 A. Logistics oversees the distribution  
6 centers.

7 Q. Okay. So you were working with the  
8 distribution centers starting roughly within two  
9 and a half years of your employment with CVS?

10 A. Correct.

11 Q. Okay. And at that time how many were  
12 there?

13 A. When I moved into the logistics  
14 department I believe there were three.

15 Q. Okay. Were they all licensed to  
16 distribute controlled substances --

17 A. No, they were not.

18 Q. You have to let me finish my  
19 questions --

20 A. Sorry.

21 Q. -- so we don't talk over each other.  
22 Maureen will go crazy if we do that all day.  
23 Sometimes I pause so you have --

24 A. That's why I thought you were.

1 Q. I apologize.

2 So you had three distribution centers  
3 at that time. How many were licensed, if any?

4 A. At that time I would not be able to  
5 answer. I did not know if they were licensed at  
6 that time. I know their license status today.

7 Q. Okay.

8 A. So today those facilities, two of them  
9 were licensed --

10 Q. Okay.

11 A. -- currently are licensed.

12 Q. At that time where were these three?

13 A. Woonsocket, Rhode Island, which would  
14 include the North Smithfield distribution which  
15 is the licensed distribution center. It's a two  
16 building operation, but the license -- I refer  
17 to it as a single distribution center, multiple  
18 operating buildings. One building that's  
19 located in North Smithfield, Rhode Island --

20 Q. I see.

21 A. -- has the registrant. The prior  
22 building did have a registration, but that  
23 registration was transferred as we moved  
24 pharmacy to that other building.



1                   Then also the facility in Lumberton,  
2   New Jersey was a licensed facility.

3                   The third facility was in  
4   Fredericksburg, Virginia, which was not a  
5   licensed facility, did not carry  
6   pharmaceuticals.

7           Q.    Okay.  How long did you hold your  
8   first position, which was manager?

9           A.    Don't recall.  Multiple years.

10          Q.    Okay.  What was your next position  
11   then?

12          A.    Senior manager, logistics planning.

13          Q.    Okay.  And after that?

14          A.    Director of logistics planning.

15          Q.    What year did you become director of  
16   logistics planning?

17          A.    It was probably in and around 2011,  
18   2012, somewhere in that time frame.

19          Q.    Okay.  And is that the top position in  
20   logistics planning?

21          A.    At the time, yes, it was.

22          Q.    Okay.  How many direct reports did you  
23   have to you?

24          A.    Do not recall.  I'd estimate three.

1           Q.    How big a department is logistics  
2    planning?

3           A.    Does that question pertain to today or  
4    at that time?

5           Q.    Let's talk about at that time, say  
6    2011.

7           A.    Probably about 10 to 12.

8           Q.    Okay.  And how did that change over  
9    time?

10          A.    The responsibilities of the department  
11   grew, and the head count grew accordingly.

12          Q.    So say in 2013, what had it grown to?

13          A.    Probably about 18.  Again, do not  
14   recall exact numbers.

15          Q.    Okay.  Did you have budget  
16   responsibility for logistics planning when you  
17   became the director in 2011?

18          A.    Logistics planning in and of itself  
19   did not have a budget other than payroll and  
20   travel.  There was no real budget.  We didn't  
21   open -- we didn't run facilities.

22          Q.    Sure.

23                   In terms of the logistics planning,  
24   was that part of another group?

1           A.     It was part of logistics, logistics  
2     organization.   It was a group or team within  
3     that logistics organization.

4           Q.     And why is it called logistics  
5     planning?   Explain what that role is.

6           A.     As I mentioned previously, you know,  
7     budgeting, handling the budgeting,  
8     communication, where the group is basically a  
9     liaison between the departments in -- we refer  
10    to it as the customer support center, but more  
11    commonly referred to as corporate and the  
12    distribution centers.

13          Q.     I see.

14                 So you interface between the  
15    distribution centers and the corporate office in  
16    terms of arranging what the distribution centers  
17    need with corporate?

18          A.     Yes.

19          Q.     Essentially?

20          A.     Yeah.

21          Q.     Okay.

22          A.     Yes, so product flow, like scheduling,  
23    you know, providing information about new items  
24    coming into the distribution centers, when those

1 needed to be received, be available to be  
2 shipped to stores, handling the flow of  
3 promotional goods for the weekly ad, things  
4 along those lines.

5 Q. Okay. And that included the flow of  
6 controlled substances as well?

7 A. At that time, no, it did not.

8 Q. Okay.

9 A. To state -- me and my team didn't have  
10 much influence in the control -- or the flow of  
11 controlled substances. If there were situations  
12 where the pharmacy merchandising group, like any  
13 other group, needed or had something that was  
14 occurring that could impact the distribution  
15 centers, they would usually communicate that so  
16 we could share that information with the  
17 distribution centers to help make sure there's  
18 an efficient process, goals and timelines were  
19 met.

20 Q. Even in 2011 there were --  
21 distribution centers were shipping controlled  
22 substances to the pharmacies, correct?

23 A. Yes.

24 Q. And so that was part of what the

1 distribution centers that you interfaced were  
2 doing, right?

3 A. I can't -- I do not recall if we were  
4 engaged in the communication or information flow  
5 or flow of controlled substances at that point.

6 Q. Well, as early as 2008, you would  
7 agree you were involved at some level in the  
8 operations of the distribution centers including  
9 standard operating procedures, correct?

10 A. No. I was responsible for sharing  
11 information to allow the DCs to perform their  
12 jobs. I was not providing the DCs instruction  
13 per se more than I was communicating  
14 information.

15 Q. So you communicated to the  
16 distribution centers concerning controlled  
17 substances and the standard operating procedures  
18 associated with controlled substances starting  
19 in 2008 at least, correct?

20 A. No. I do not recall if my  
21 responsibilities as early as 2008 involved any  
22 information regarding controlled substances. I  
23 will tell you my responsibility, or the areas in  
24 my work evolved to that perspective, but I can't

1 tell you the exact timeline and I can't commit  
2 to you and say that 2008 was the beginning of me  
3 having involvement. I do not recall.

4 Q. Okay. Fair enough. Hopefully we'll  
5 have the documents that will help you refresh  
6 your recollection in a few minutes here.

7 You do agree, though, at some point  
8 you took ownership of the suspicious order  
9 monitoring process, correct?

10 A. Yes. I oversee the operation of the  
11 suspicious order monitoring program beginning --  
12 I'm sorry?

13 Q. Go ahead. I don't want to cut you  
14 off.

15 A. Thank you.  
16 -- beginning in 2014.

17 Q. 2014 is when you said you became  
18 involved in suspicious order monitoring process?

19 A. No, I did not.

20 MR. BUSH: That's not -- misstates the  
21 record.

22 MR. DEROCHE: Again, I'm asking. It's  
23 his testimony, Graeme. You want to object,  
24 object to the form.

1 MR. BUSH: I did.

2 MR. DEROCHE: Go ahead.

3 MR. BUSH: That's what I did, and I  
4 will continue to do that if necessary.

5 MR. DEROCHE: Great.

6 BY MR. DEROCHE:

7 Q. Now, when did you first become  
8 involved in the suspicious order monitoring  
9 program at CVS?

10 A. My first recollection of involvement  
11 in suspicious order monitoring was in the fourth  
12 quarter of 2012.

13 Q. And what was that involvement?

14 A. That involvement was a discussion with  
15 my immediate supervisor and his supervisor that  
16 they wanted me to get involved in a project to  
17 create or to develop and design a suspicious  
18 order monitoring program to replace the program  
19 that we were using at that time.

20 Q. And in the meantime weren't you  
21 involved in, at some level, in what that  
22 existing program entailed?

23 A. Beginning at that point in 2012, in  
24 Q4, I became -- I got in -- I actually spent

1     some time to understand high-level operation of  
2     that system in order to understand what was  
3     happening today as a baseline of how we would  
4     develop the new system.

5             Q.     Okay.     Makes sense.

6                     Did you also get involved in ensuring  
7     that that existing system remained operational  
8     until your new system was up and running?

9             A.     I was not responsible for the  
10    operation of that system.     But in my role, as I  
11    described earlier, assisting the distribution  
12    network, I did partner with the individual  
13    responsible for the operation of that system.

14            Q.     And that entailed dealing with issues  
15    such as staffing, correct?

16            A.     Correct.

17            Q.     There were issues you recall at that  
18    time in terms of the staff for seeing their jobs  
19    going away and perhaps there being a problem  
20    with staffing that you had to address?

21            A.     There was transition in that team that  
22    I assisted the director in trying to determine  
23    ways to build staffing, build bench strength for  
24    that team.     And then subsequently as we got



1 closer to the role of the new system, I did  
2 assist, because obviously the individuals who  
3 were performing the system, I had discussions  
4 with them, weren't -- I'll use the term willing,  
5 but weren't -- were not interested in moving to  
6 Rhode Island to perform the task in the new  
7 system there, so we had worked on contingency  
8 plans in case if there were staffing shortfalls  
9 of how we'd maintain that system, again,  
10 assisting the director in how we could maintain  
11 that system until the new system was running.

12 Q. When you said the director, who are  
13 you referring to?

14 A. I'm referring to Mark Nicastro.

15 Q. And he was the director of the  
16 Indianapolis DC?

17 A. Correct.

18 Q. When I say DC, I assume you know what  
19 I mean?

20 A. Yes, I do.

21 Q. That's a common term for distribution  
22 center.

23 And he was the one who was overseeing  
24 the operation at that point of the SOM system

1 for the entire chain?

2 A. In 2012, yes.

3 Q. Okay.

4 A. 2012 through the sunset of that  
5 system, yes.

6 Q. Okay. Did you go to Indianapolis to  
7 check out the system, watch it in operation?

8 A. Yes, I took a trip to Indianapolis.

9 Q. Okay. So you wanted to get a firm  
10 understanding of the existing system, I take it,  
11 so that you could better perform the duty of  
12 coming up with the new system?

13 A. Yeah, I wanted to get a general  
14 understanding of the process that the team  
15 followed to see where there are opportunities  
16 for improvement.

17 Q. Okay. And I take it that you also had  
18 to have some understanding of why there was an  
19 SOM system and what the regulations and laws  
20 were that you were attempting to comply with in  
21 designing your new system, correct?

22 A. I was aware that there were  
23 regulations that required a suspicious order  
24 monitoring system to be in place.

1           Q.    And you -- did you understand why?  
2   What were you trying to accomplish with it?

3           A.    Trying to accomplish that we were in  
4   compliance with the regulations.

5           Q.    Okay.  What do the regulations  
6   require?

7           A.    In essence to ensure that we -- to  
8   review all controlled substance orders, to --

9           Q.    Go ahead.

10          A.    No?  You threw me off there a little  
11   bit with your body language, I apologize.

12                   To review orders of unusual size,  
13   frequency, or ordering pattern.

14          Q.    Okay.  Did you review the regulations  
15   in connection with your duties in terms of  
16   coming up with a new SOM system?

17          A.    I've read a couple portions.  The  
18   interpretation of the requirements or the  
19   responsibility of legal, legal transition that  
20   are -- translated those requirements for me to  
21   put into business action.

22          Q.    I'm going to hand you what we've  
23   marked as Exhibit 51.

24

1 (Whereupon, CVS-Vanelli-51 was marked  
2 for identification.)

3 BY MR. DEROCHE:

4 Q. Take a moment.

5 MR. DEROCHE: It's not the same?

6 MR. BUSH: I'm sorry, I'm just looking  
7 because the number I have is Vernazza 4. I'm  
8 trying to figure out --

9 MR. DEROCHE: I see what you're  
10 saying. That's from a prior deposition.

11 MR. BUSH: Yeah, that's fine. Okay.

12 MR. DEROCHE: You should sticker over  
13 those.

14 MS. CARDINAL: I did.

15 MR. BUSH: It's on the original.  
16 Yeah, mine didn't have it. I think I was just  
17 trying to figure out --

18 MR. DEROCHE: That's the confusion.  
19 This is 51 for Vanelli deposition.

20 BY MR. DEROCHE:

21 Q. Do you recognize that document, sir?

22 A. Yes.

23 Q. Okay. It's an e-mail from Mr. Schiavo  
24 with a copy to you, correct?

1 A. Correct.

2 Q. Are you familiar with the folks that  
3 it was sent to?

4 A. Yes, I am.

5 Q. Okay. Who is Noah Zimmerman?

6 A. Noah Zimmerman was a former SOM  
7 analyst.

8 Q. Okay. Annette Lamoureux?

9 A. Annette was also at that time an SOM  
10 analyst.

11 Q. I'm going to blow this next name.

12 A. Shan Xue.

13 Q. Shan Xue?

14 A. Yes.

15 Q. Another analyst?

16 A. Yes, she was.

17 Q. And --

18 A. Khalilul Mia, also a former analyst.

19 Q. A former analyst.

20 And Beatty, Caitlin Beatty?

21 A. Caitlin Beatty.

22 Q. Beatty.

23 A. Also a former. That was the actual  
24 original five individuals that were hired to be

1 SOM analysts to do all the -- perform the due  
2 diligence work on the new or current existing  
3 SOM system that we were designing.

4 Q. This is your first team of analysts  
5 that actually operated the SOM system that you  
6 were involved in designing?

7 A. Correct.

8 Q. Okay. And you hired all these folks?

9 A. Yes, I did.

10 Q. What kind of background were you  
11 looking for for the analysts?

12 A. I was looking for a background of  
13 statistics, law, pharmacy, loss prevention or  
14 diversion background. And, of course, SOM  
15 experience if they had that. The experienced  
16 SOM analysts, as I had previously mentioned,  
17 weren't interested in relocating to Rhode  
18 Island.

19 Q. Sure.

20 And when you refer to those prior  
21 analysts, who are you referring to?

22 A. At the time Shauna Helfrich. At one  
23 point Aaron Burtner. I apologize, there's one  
24 other name that's escaping me right now.

1 Q. Kelly Baker?

2 A. Kelly Baker.

3 Q. Was Aaron Burtner replaced when he  
4 left the company?

5 A. Was Aaron Burtner? Not with a  
6 permanent associate. His responsibilities were  
7 replaced by multiple individuals, including  
8 third party.

9 Q. Are you talking about a consultant  
10 that came in?

11 A. Yes.

12 Q. At one point you had to hire an  
13 outside consulting firm to add additional staff  
14 to the SOM program?

15 A. At one point we chose to bring in  
16 outside assistance to review and perform the  
17 process.

18 Q. Okay.

19 A. Yes.

20 Q. Was it one particular individual who  
21 came in?

22 A. No. There were multiple.

23 Q. Does Shauna Helfrich have a background  
24 in statistics that you're aware of?

1           A.     I'm not aware of Shauna Helfrich's  
2 background.

3           Q.     So you don't know if she had any  
4 background in pharmacy?

5           A.     I do not.

6           Q.     Okay.

7           A.     I did not hire her.

8           Q.     What about Kelly Baker, did he have  
9 any background in statistics or law or loss  
10 prevention or --

11          A.     I believe Kelly, as well as Aaron,  
12 were from the loss prevention department.

13          Q.     They previously were in loss  
14 prevention?

15          A.     To my understanding, yes.

16          Q.     Let's go back to 51. If you look at  
17 the attachment to the e-mail, do you recognize  
18 that letter, sir?

19          A.     Don't recall. I mean, if I -- I see  
20 the e-mail. I do not recall anything about  
21 this -- the letter from -- with the DEA heading?

22          Q.     Correct. This is a letter from the  
23 Drug Enforcement Agency -- Administration that  
24 was sent to all distributors of --



1           A.    Yeah, I assume it was the --

2 MR. BUSH: Hold on. Let him finish  
3 his question.

4 BY MR. DEROCHÉ:

5           Q.    -- distributors of controlled  
6    substances.

7           Now, this was e-mailed to you to  
8   review it. Did you review it?

9           A.    I do not recall.  It was an e-mail  
10   from four years ago.

11 Q. Okay.

12            A.     Five years ago.

13 [REDACTED]

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BY MR. DEROCHE:

24

Q. Do you know what factors that the

1 algorithm that was being used at the time  
2 considered?

3 A. I do not know. My focus was not  
4 actually on the system, it was more on the  
5 process.

6 Q. The process in terms of what the  
7 analysts were looking at?

8 A. The process of the -- the due  
9 diligence process that the analysts looked at on  
10 the orders that were generated to review.

11 Q. Did you get an understanding of how  
12 many of the orders that were flagged by the  
13 algorithm were actually looked at on a daily  
14 basis?

15 A. No.

16 Q. Did you look at the standard operating  
17 procedures that were in place at the time --

18 A. I did not.

19 Q. -- to determine what they said they  
20 should -- that they should have looked at?

21 A. I do not recall looking at standard  
22 operating procedures.

23 Q. Did you determine what documentation  
24 existed with respect to orders that may or may

1 not have been reviewed?

2 A. No.

3 Q. Sorry? I didn't hear that.

4 A. Repeat your question, please.

5 Q. Yeah. Did you determine what  
6 documentation existed on a -- with respect to  
7 the process that was being used prior to the  
8 time you implemented your new process?

9 A. I sat with the analysts over the  
10 portion of a couple of days and just observed  
11 the process that they had gone through to review  
12 orders. I mean, in the course of that time I  
13 reviewed a few orders with them to go through  
14 the process to understand some of the -- what --  
15 the data that they were looking at.

16 Q. Okay. Do you know how many of the  
17 flagged orders were looked at on a daily basis  
18 that were on the IRR, the review report?

19 A. I do not recall.

20 Q. Were you aware in 2011 that there was  
21 an opioid crisis in the United States?

22 A. No, I was not.

23 Q. When did you become aware of the  
24 opioid crisis?

1 MR. BUSH: Objection.

2           A.     I don't see myself as qualified to  
3     know if there was or was not an opioid crisis.  
4     I mean, I understand people in this country  
5     have, you know, addictions to drugs and that  
6     addiction could lead to death or other negative  
7     consequences, but not qualified to say if there  
8     is a crisis or not.

9 BY MR. DEROCHÉ:

10

Row	Bar Start (approx. %)	Bar End (approx. %)
1	18	88
2	9	81
3	28	98
4	28	66
5	9	38
6	18	92
7	9	43
8	18	70
9	18	96
10	9	72
11	18	35
12	18	100
13	9	92
14	28	92
15	9	88

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A horizontal bar chart comparing the percentage of respondents across five categories for different age groups. The categories are: 'All respondents', 'People who have been vaccinated', 'People who have not been vaccinated', 'People who have been vaccinated and are also wearing a mask', and 'People who have not been vaccinated and are not wearing a mask'. The age groups are: 18-24, 25-34, 35-44, 45-54, 55-64, 65-74, 75-84, and 85+.

Age Group	All respondents	People who have been vaccinated	People who have not been vaccinated	People who have been vaccinated and are also wearing a mask	People who have not been vaccinated and are not wearing a mask
18-24	100%	100%	100%	100%	100%
25-34	100%	100%	100%	100%	100%
35-44	100%	100%	100%	100%	100%
45-54	100%	100%	100%	100%	100%
55-64	100%	100%	100%	100%	100%
65-74	100%	100%	100%	100%	100%
75-84	100%	100%	100%	100%	100%
85+	100%	100%	100%	100%	100%

19 Q. Were you trying to reiterate to them  
20 the importance of their job --

21 (Phone interruption.)

22 MR. DEROCHE: Everybody on the  
23 speakerphone, please mute your phones. Thank  
24 you.

1 (Phone interruption.)

2 BY MR. DEROCHE:

3 [REDACTED]

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24 Q. Who is Chris Preli?



1           A.     Chris Preli at the time was my  
2     manager.

3           Q.     And your job at this time was what?

4           A.     2009, my best guess I was senior  
5     manager of logistics planning.

6           Q.     You state "LP" -- and that's loss  
7     prevention, correct?

8           A.     Correct.

9           Q.     -- "is pulling out of the DEA  
10    operations and will play more of a compliance  
11    auditing role. Frank and I talked earlier in  
12    the week." Frank Devlin?

13          A.     I believe, yes, that would be  
14    referring to.

15          Q.     Did you work with Mr. Devlin?

16          A.     I worked with Frank, yes. Frank was  
17    loss prevention for the distribution center so  
18    our paths have obviously crossed. We both  
19    supported the DCs.

20          Q.     Chris C, who is that?

21          A.     I believe that refers to Chris  
22    Cassidy, or Christopher Cassidy. He was on my  
23    team at one point.

24          Q.     Did he --

1           A.     I'm sorry.

2           Q.     I'm sorry. Go ahead.

3           A.     And look at the timing. It most  
4 likely would be Amy Propatier's direct manager  
5 at this time.

6           Q.     Amy Propatier was what?

7           A.     Amy Propatier was a coordinator.

8           Q.     Were you aware that she was the  
9 director of DEA compliance?

10          A.     Not in any time that Amy reported to  
11 me was she the director of DEA compliance. I do  
12 not believe Amy has ever been a director in her  
13 time at CVS.

14          Q.     Or manager of DEA compliance, or the  
15 head of DEA compliance, or any term like that?

16          A.     Amy had a role where -- again, going  
17 back to our previous discussion of the role of  
18 my department as being the liaison between  
19 customer support center and the distribution  
20 centers, Amy would facilitate or coordinate  
21 activities between those two groups. At no time  
22 did Amy have ownership of any DEA compliance, to  
23 my knowledge, with the exception of she was  
24 responsible for filing ARCOS reporting.

1 Q. Other than filing ARCOS reporting, she  
2 had no role in terms of DEA compliance that you  
3 were aware of?

4           A.     No.  As I previously said, Amy would  
5     coordinate activities between the distribution  
6     centers and customer support.  She may have been  
7     involved in or had information on DEA compliance  
8     activities, but she was not the owner of any of  
9     those activities other than ARCOS reporting, to  
10    my recollection.

[illegible]

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10 Q. Okay. When you started your work in  
11 developing the new SOM system at CVS, did you go  
12 back and review documentation concerning the old  
13 system so you knew what you were replacing and  
14 what the problems might have been?

15 A. When I began the design I spent some  
16 time in the Indianapolis facility to get a  
17 general understanding of the process that they  
18 were following as a baseline, as a jumping off  
19 point for the process that we were building in  
20 the system that we were building to replace that  
21 system.

22 Q. Okay. Did you at any time try to  
23 research any issues that may be involved with  
24 the existing system in terms of problems in its



1 operation?

2 A. I do not recall doing that, no.

3 Q. Did you ever try to determine whether  
4 or not the existing system you were replacing  
5 made any effort to compare controlled drugs  
6 versus non-controlled in terms of the pharmacies  
7 ordering controlled drugs from the distribution  
8 centers?

9 A. I recall that the team had access to  
10 data, dispensing data, data regarding patients,  
11 prescribers, the dispensers. I understand they  
12 had data available which is data we wanted to  
13 ensure we had available. I believe I tried -- I  
14 got some indication of how they got about  
15 getting to that data and the efforts -- in the  
16 new system we wanted to be able to make that  
17 data more readily providable that doesn't  
18 require somebody to look for the information,  
19 that I would be presented that information for  
20 each case right -- or each flagged order as --  
21 order of interest that our system would actually  
22 generate and to look at that and have them  
23 provide that information. But I do believe they  
24 had access to that data.

1           Q.    I understand that access to dispensing  
2   data, if someone wanted to go look for it.  What  
3   I'm talking about is with respect to the  
4   algorithm itself in terms of flagging orders,  
5   was there any effort made at that time to  
6   compare controlled versus non-controlled volume  
7   at the pharmacy?

8                   MR. BUSH:  In the algorithm?

9                   MR. DEROCHE:  In the algorithm.

10          A.    Yeah, I have no and gained no  
11   understanding of how the algorithm actually  
12   worked.

13   BY MR. DEROCHE:

14          Q.    You made no effort to determine what  
15   the algorithm looked at or didn't look at?

16          A.    The operation of that algorithm was  
17   irrelevant in the development of the program we  
18   were designing.  I did not spend my time looking  
19   at that.

20          Q.    Did you look at the IRRs?

21          A.    Over the couple of days that I was in  
22   Indianapolis, when I said I had spent periods of  
23   time with that team, I, you know, recall looking  
24   at reports, and I believe the IRR was one of

1 those reports that we looked at.

2 Q. Do you know if the existing SOM system  
3 you were replacing had any methodology by which  
4 new stores were assessed within the SOM  
5 algorithm?

6 A. Again, I didn't look at the -- how  
7 that -- the algorithm worked in my time  
8 reviewing that system or that process.

9 Q. Do you know if there was any effort  
10 made in the existing SOM system that you were  
11 replacing to assess outside vendor orders in  
12 connection with the analysis of orders placed to  
13 the distribution centers?

14 A. I did not look at the operations of  
15 the algorithm so I can't say if they -- it did  
16 or did not look at that. I do not know.

17 [REDACTED]  
[REDACTED]  
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12           A.     Until the period it became a Schedule  
13     II drug, CVS pharmacies were able to order  
14     hydrocodone products from the servicing CVS  
15     distribution center.

16           Q.     And at the same time they were able to  
17     order those same products from outside vendors?

18           A.     I believe so, yes.

19           [REDACTED]

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MR. BUSH: Is now a good time for a  
break? About an hour and a half.

MR. DEROCHE: Yes, that's a good idea.

THE VIDEOGRAPHER: We're going off the  
record at 9:29 a.m.

(Whereupon, a recess was taken.)

THE VIDEOGRAPHER: We're back on the  
record at 9:47 a.m.

BY MR. DEROCHE:

Q. In 2013, Mr. Vanelli, was Christopher  
Tulley your boss?

A. No, he was not.

Q. What was he?

A. He was a project manager.

1 Q. Okay. And what role did he have in  
2 the work that you were doing on the SOM system?

3 A. Chris was a project manager for the --  
4 on the project for developing the new suspicious  
5 order monitoring system.

6 Q. I'm going to show you what we marked  
7 as Exhibit 25.

8 (Whereupon, CVS-Vanelli-25 was marked  
9 for identification.)

10 BY MR. DEROCHE:

11 Q. Before you get there, you said that  
12 with respect to the old SOM system that was  
13 running that you were going to be sunseting and  
14 replacing, that you didn't do any deep dive into  
15 how it operated.

16 A. That existing system that we were  
17 going to sunset?

18 Q. Right.

19 A. No, I did not.

20 Q. You didn't do anything with respect to  
21 that system other than sit in the DC in  
22 Indianapolis for a couple days and watch what  
23 the analysts were doing?

24 MR. BUSH: Objection.

1           A.     I sat in the DC with the analysts  
2     multiple times over the course of a couple days  
3     to review their process. And we also discussed  
4     that I did assist ensuring staffing, and  
5     assisted Mark Nicaastro in where he may have  
6     needed assistance to maintain that system while  
7     it was running until the time that we sunset it  
8     by replacing it with the new system that was my  
9     focus in developing with a team of folks.

10    BY MR. DEROCHÉ:

11           Q.     Again I want to make sure I've got a  
12     bracket around your full interaction with the  
13     SOM system that was in place. Is that the end  
14     of it? That's all you did with respect to that  
15     system?

16           A.     Like I said, I spent time to  
17     understand the due diligence process, and I  
18     assisted Mark when there were challenges that he  
19     had, such as staffing.

20           Q.     Any other challenges?

21           A.     Not that I recall. Not that I recall.

22           [REDACTED]

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That was the Analysis Group that you

were involved in retaining to design the new



1 algorithm, correct?

2 A. I was not involved in the retaining of  
3 the Analysis Group. The Analysis Group was  
4 introduced to me as a third party that was going  
5 to assist. I was not involved in contracting  
6 with them, soliciting them. That happened prior  
7 to my involvement in SOM.

8 Q. Do you know why they were chosen over  
9 some other consultant?

10 A. I do not know. I was not involved in  
11 the decision.

12 Q. Did you ever work with the Buzzeo  
13 Group or any company associated with Buzzeo?

14 A. I am aware of the Buzzeo Group, but I  
15 do not recall having any interaction with the  
16 Buzzeo Group. Although I am aware that the  
17 Buzzeo Group was the company that the -- you had  
18 referred to prior as the existing, so the system  
19 that was in place in 2012, that that system was  
20 acquired from the Buzzeo Group, they developed  
21 it. I do know that.

22 Q. Do you know why they weren't retained  
23 for the new system?

24 A. I do not know. I was not involved in



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7 Q. Did you work with Pam Hinkle at all in  
8 determining what the existing SOM process  
9 entailed?

10 A. I do not recall.

11 Q. Do you know who Pam Hinkle was?

12 A. Yes, I know who Pam Hinkle is.

13 Q. Okay. Is she still with the company?

14 A. Yes, she is.

15 Q. She works in the Knoxville DC, is that  
16 correct?

17 A. She's resident in the Knoxville DC,  
18 yes.

19 Q. What is her position?

20 A. She's a senior manager of supply chain  
21 compliance and quality.

22 Q. Was she in charge of the SOM system at  
23 one point in time?

24 A. Prior to my time I believe that she





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1           A.     The Webster definition of diversion?

2           Q.     How about the definition of diversion  
3     in connection with the suspicious order  
4     monitoring process and what you're attempting to  
5     prevent, do you know what that means?

6                     MR. BUSH:  Objection.

7           A.     Do I know what that means.  I'm trying  
8     to again review all those controlled substances  
9     for unusual size, frequency and pattern.

10          BY MR. DEROCHE:

11          Q.     The DEA has a department of diversion,  
12     you're aware of that, right?

13          A.     Yes.

14          Q.     Okay.  They're your regulator, aren't  
15     they?  You're trying to comply with their  
16     requirements, aren't you?

17          A.     I'm trying to comply with the federal  
18     code of regulation.

19          Q.     They send diversion investigators to  
20     the DCs, don't they, from time to time?

21          A.     They send agents to the DCs.  I can't  
22     particularly say if they're diversion  
23     investigators or they play a different role.

24          Q.     So in the context of controlled

1 substances, do you know what diversion means?

2           A.     I believe it to mean to take drugs and  
3     use them for non-medical purposes.

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7 MR. DEROCHE: We can break for lunch  
8 now.

9 MR. BUSH: Okay.

10 THE VIDEOGRAPHER: We're going off the  
11 record at 12:19 p.m.

12 (Whereupon, a luncheon recess was  
13 taken.)  
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(Whereupon, CVS-Vanelli-40 was marked

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for identification.)

9

BY MR. DEROCHE:

10

Q. Sir, I want to show you what was

11

marked as Exhibit 40. It's a chart that was

12

created from data extracted from the ARCOS

13

database that was produced in this case

14

concerning a pharmacy located on Brookpark Road

15

in Cuyahoga County, Ohio.

16

First of all, are you familiar at all

17

with the Brookpark Road CVS Pharmacy?

18

A. No.

19

Q. Have you ever been to Ohio?

20

A. Columbus.

21

Q. Other than Columbus, nowhere else?

22

A. Jacobs Field in Cleveland.

23

Q. You came to Cleveland one time?

24

A. I have been to Cleveland one time.

1 I've been to Columbus, Dublin particularly, one  
2 time.

3 Q. Did you ever come to Cuyahoga County  
4 to visit a CVS store?

5 A. I do not recall ever visiting a CVS  
6 store in Cuyahoga County.

7 Q. So you never visited, for instance,  
8 the store located at 2070 Brookpark Road?

9 A. No, sir.

10 Q. This is a recap of orders on a monthly  
11 basis in January, 2006 to December, 2008, and it  
12 compares those orders for hydrocodone shipped to  
13 the store to the average of all CVS stores in  
14 Cuyahoga County. And it appears that this store  
15 substantially exceeds the average in the county  
16 every month that's covered by this chart.

17 Under your system that you put in  
18 place, do you believe that this store would be  
19 flagged, given the volume exceeding the average  
20 in the county that it's located in?

21 MR. BUSH: Objection.

22 A. I've never seen this chart before. I  
23 don't know the source of the chart. I don't  
24 know the source of the average. I could not

1 make that determination just strictly on this  
2 chart. The algorithms are a little more  
3 in-depth than just data on the chart.

4 BY MR. DEROCHE:

5 Q. I understand. I understand they don't  
6 look at just volume, but volume is one of the  
7 issues or one of the factors that's considered  
8 by the current algorithm, correct?

9 A. Could you repeat that?

10 Q. Volume is one of the factors that's  
11 considered by the current algorithm, correct?

12 A. Ordering size, frequency, and pattern  
13 are all part of the tests that occur today in  
14 the system we operate.

15 Q. Do you know if there was any system in  
16 place in the time period covered by this chart  
17 at CVS that systematically assessed the order  
18 volume for stores such as the Brookpark Road  
19 store in Cuyahoga County?

20 A. I do not know. I do not know what  
21 systems were in place at that time. I had no  
22 involvement in SOM in 2006 to 2008 time period.

23 Q. If you looked at a store like this  
24 Brookpark Road store and you saw that, for

1 instance, in September of 2008 a store was  
2 ordering close to 40,000 doses of hydrocodone  
3 compared to an average somewhere in the 8 range  
4 of all stores in that county, would that raise a  
5 concern for you?

6 A. Again, I have no basis of any  
7 information for this particular store. I don't  
8 know if it's located in the center point of 16  
9 hospitals. I have no background on this to be  
10 able to say on one piece of data -- on one data  
11 point that I can make a determination such as  
12 that.

13 Q. You can look at that, I mean, and say,  
14 well, it would raise a concern, and if it was  
15 located as the center point of 16 hospitals,  
16 maybe someone should find that out and confirm,  
17 yes, that's the case, as opposed to it being  
18 located in a seedy neighborhood with a  
19 substantial overdose problem?

20 A. I have no knowledge if that was or was  
21 not --

22 Q. But wouldn't you want to --

23 A. -- performed.

24 Q. Wouldn't you want to find out?

1           A.     I am telling you I can speak to what I  
2     know in the current process. They review that,  
3     what you are looking at, the stores. I cannot  
4     speak to this time period.

5                     (Whereupon, CVS-Vanelli-41 was marked  
6                     for identification.)

7     BY MR. DEROCHE:

8           Q.     Did CVS ever attempt to look at  
9     publicly available information about overdose  
10    rates and to overlay that to a map of their  
11    store locations?

12          A.     I do not know.

13          Q.     Do you know if the rate of overdose  
14    deaths would correlate to location of high  
15    volume CVS stores if that process was done?

16          A.     I do not -- I do not know.

17          Q.     As part of your annual review of  
18    your -- I mean, I assume you do reviews of your  
19    SOM system, right, and you do an annual check-up  
20    to make sure it's operating properly, something  
21    along those lines, correct?

22          A.     We have done reviews of our existing  
23    system, yes, we have.

24          Q.     You do quality control of some sort,



1 correct?

2 A. Quality control reviews are in place  
3 within the current SOM system.

4 Q. Wouldn't you want to know what stores  
5 are located in high overdose areas to make sure  
6 your SOM system was appropriately focusing on  
7 those stores?

8 A. We focus on all stores and all orders.  
9 If it flags, it is reviewed and proper due  
10 diligence is performed.

11 Q. I understand you're saying that you do  
12 that now with the system you put in place, but  
13 you have no idea before you put your new system  
14 in place if that was the case, isn't that  
15 correct?

16 A. I had no responsibility to -- it was  
17 not my responsibility to know. CVS is a very  
18 large organization. I have a set of  
19 responsibilities. Those are the  
20 responsibilities that I focus on.

21 Q. So back then before you put your new  
22 system in place, did anybody try to correlate  
23 and see if overdose deaths clustered around CVS  
24 high volume stores?

1           A.     I don't know if that did or did not  
2     happen.    I have no recollection of any  
3     involvement in those types of discussions.   I do  
4     not recall.

5           Q.     Would you find that problematic if you  
6     discovered that that was, in fact, the case?

7                   MR. BUSH:   I'm sorry, if what was the  
8     case?

9     BY MR. DEROCHE:

10          Q.     Overdose deaths --

11                   MR. BUSH:   I'm not sure --

12     BY MR. DEROCHE:

13          Q.     -- overdose deaths clustered around  
14     high volume CVS stores.

15          A.     Based on that one point, no, would  
16     have to -- you would have to look at a lot of  
17     other data to understand if there is some  
18     correlation.

19          Q.     Take a look at Exhibit 41 real quick.  
20     Again, this is a chart that's created in  
21     extracting ARCOS data that was produced in this  
22     case.    It has to do with the hydrocodone  
23     shipments to CVS Pharmacy located at 590 East  
24     Market Street in Summit County, Ohio.

1 I take it you haven't been to Summit  
2 County?

3 A. I don't know where Summit County is.  
4 Is it Cleveland? I've been to Cleveland. We've  
5 established that. I don't know counties well.

6 Q. Cleveland is Cuyahoga County.

7 A. Is it?

8 Q. Yes.

9 A. If it wasn't Dublin or Columbus, those  
10 are the only places I recall I've been to in  
11 Ohio.

12 Q. Again, this is a store that from  
13 April, 2006 to December, 2008, the period  
14 covered by this chart, appears to have a volume  
15 of hydrocodone shipments that is substantially  
16 in excess of the average for CVS stores in the  
17 Summit County area. I'm wondering if this type  
18 of data is something -- this aggregate data is  
19 something that was ever looked at by CVS so you  
20 could focus your attention on these types of  
21 stores when you're doing your SOM analysis.

22 MR. BUSH: Objection.

23 A. Performing my SOM analysis, this data  
24 is, you know, 11 plus years old.

1 BY MR. DEROCHE:

2 Q. I'm saying, did CVS ever do these  
3 types of charts to at least get a picture of,  
4 hey, this is a high volume store compared to all  
5 the other stores in this county, maybe we want  
6 to focus on it, give it more attention in the  
7 SOM process? That type of analysis ever done?

8 MR. BUSH: Objection.

9 A. The question is?

10 BY MR. DEROCHE:

11 Q. Was that ever done that you know of?

12 A. As a single individual working in a  
13 logistics department, I certainly cannot be  
14 aware of what everybody in a major organization  
15 is doing, and particularly in an area that I had  
16 no involvement and no job responsibility at the  
17 time that this graph is depicting, so I do not  
18 know if anyone did or did not.

19 Q. Let me show you what we marked as  
20 Plaintiffs' Exhibit 77.

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24 Q. And again, you then sent an e-mail, I

1 believe, to Mr. Nicastro again addressing the  
2 staffing issue, correct?

3 A. I see that e-mail that I sent to  
4 Mr. Nicastro on the 16th of July, '13.

5 Q. You ask "Has Aaron's job been posted?"  
6 Do you know, had Aaron left by that  
7 point?

8 A. I don't -- I cannot state if Aaron had  
9 left or given notice that he had planned to  
10 leave.

11 Q. You state "I did speak to Andy about  
12 staffing and suggested to replace Aaron, add two  
13 analysts (like Kelly) and six clerical staff."

14 Who is Andy?

15 A. I believe I was referring to Andy  
16 Koropoulis who was the operations manager of the  
17 Indianapolis distribution center who reported in  
18 to Mark.

19 Q. Do you know if two analysts and six  
20 clerical staff were added to the SOM team in  
21 Indianapolis at any point in time after this  
22 e-mail?

23 A. I do not recall that two analysts or  
24 six clerical staff were added. I recall that we

1     had -- as we discussed earlier, we had  
2     interviewed for some positions, we back-trained  
3     and pulled in a former employee, former  
4     pharmacist employee to come in and work on the  
5     process, as well as hired third-party DEA  
6     consultants to assist.

7             Q.     Who was that person that was brought  
8     in, the former pharmacist?

9             A.     Gary Millikan. He was a pharmacist,  
10     and he ran the pharmacy operation in  
11     Indianapolis for a period of time. I don't know  
12     how long.

13                    (Whereupon, CVS-Vanelli-39 was marked  
14                    for identification.)

15     BY MR. DEROCHE:

16             Q.     I show you what we marked as  
17     Exhibit 39. This is a letter from yourself to  
18     Matthew Murphy at Pharma Compliance Group, is  
19     that correct?

20             A.     Appears so by looking at the heading,  
21     yes.

22             Q.     Appears to be a letter agreement that  
23     you sent to engage Pharma Compliance Group to  
24     perform some services for CVS, correct?

1           A.     That is what I see.

2           Q.     Is this the group that you referred to  
3     in terms of coming in and providing some SOM  
4     staffing as needed?

5           A.     Yes.

6           Q.     How many folks do you know were  
7     assigned by Pharma to CVS to provide the  
8     staffing you needed?

9           A.     How many folks? I could recall  
10    probably maybe three. I don't know the exact  
11    number.

12          Q.     Do you know what training they were  
13    provided with respect to the SOM system that was  
14    currently in place in Indianapolis?

15          A.     Other than being former DEA agents,  
16    I'm not aware of training that they were  
17    provided prior to coming in to assist in the  
18    facility.

19          Q.     Did you ever see them do their work?

20          A.     I did not. It occurred in  
21    Indianapolis, and I was in Rhode Island.

22          Q.     Do you know as former DEA agents if  
23    they had performed SOM analysis in the past?

24          A.     I do not know. Do not recall.

1 Q. Do you know if -- I'm sorry, go ahead.

2 A. I just said I do not know. I don't  
3 recall.

4 Q. Do you know if they were provided the  
5 work instructions that we reviewed a moment ago  
6 with respect to how to perform the IRR analysis  
7 at CVS?

8 A. I do not know. Again, I was in Rhode  
9 Island, I wasn't responsible with the process.  
10 I was assisting between the distribution center  
11 and our legal department, which is where I got  
12 the contacts for Mr. Murphy, through Betsy  
13 Ferguson, to facilitate the assistance they  
14 required.

15 Q. Do you know how often Pharma  
16 Compliance Group provided personnel following  
17 this August 21, 2013 letter agreement?

18 A. Multiple months. I don't recall the  
19 exact time they started. I believe it was  
20 sometime around the date of this letter, and I  
21 believe it continued into early -- into January,  
22 the following -- sometime into the following  
23 year. I don't know exact dates, but my memory  
24 says sometime in that time period.

1 Q. Do you know if the Pharma Compliance  
2 personnel that came in to assist with the IRR  
3 process used the IRR recap spreadsheet to  
4 document reviews?

5           A.    I do not know the actual tasks that  
6   they performed, not being there.

7

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3. 1	35%
4. 1	80%
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Q. You don't know. Okay. Fair enough.

20

MR. DEROCHE: I have nothing further.

21

You're free to go.

22

MR. DAWSON: No questions. Thank you.

23

MR. BUSH: Really, you guys are

24

champs. I love this. Thank you.

1                   THE VIDEOGRAPHER: This concludes the  
2   video deposition of Dean Vanelli. The time is  
3   3:10 p.m., and we are now off the record.

4                   (Whereupon, the deposition was  
5                   concluded.)

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1 STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

2

3 I, MAUREEN O'CONNOR POLLARD, RMR, CLR,

4 and Commissioner in the State of Rhode Island

5 and Providence Plantations, do certify that on

6 the 16th day of January, 2019, at 8:03 o'clock,

7 the person above-named was duly sworn to testify

8 to the truth of their knowledge, and examined,

9 and such examination reduced to typewriting

10 under my direction, and is a true record of the

11 testimony given by the witness.

12 I further certify that I am neither

13 attorney, related or employed by any of the

14 parties to this action, and that I am not a

15 relative or employee of any attorney employed by

16 the parties hereto, or financially interested in

17 the action.

18 In witness whereof, I have hereunto

19 set my hand this 20th day of January, 2019.

20

21

22 \_\_\_\_\_  
COMMISSIONER

23 My Commission Expires April 30, 2020

24



INSTRUCTIONS TO WITNESS

Please read your deposition over carefully and make any necessary corrections. You should state the reason in the appropriate space on the errata sheet for any corrections that are made.

After doing so, please sign the errata sheet and date it. It will be attached to your deposition.

It is imperative that you return the original errata sheet to the deposing attorney within thirty (30) days of receipt of the deposition transcript by you. If you fail to do so, the deposition transcript may be deemed to be accurate and may be used in court.

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E R R A T A

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3 PAGE LINE CHANGE

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ACKNOWLEDGMENT OF DEPONENT

I, \_\_\_\_\_, do  
Hereby certify that I have read the foregoing  
pages, and that the same is a correct  
transcription of the answers given by me to the  
questions therein propounded, except for the  
corrections or changes in form or substance, if  
any, noted in the attached Errata Sheet.

\_\_\_\_\_  
WITNESS NAME

\_\_\_\_\_  
DATE

Subscribed and sworn

To before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

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